

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE GOLFER’S JOURNAL, LLC,

Plaintiff,

-against-

GOLF MANHATTAN, LLC, d/b/a THE TURN  
INDOOR GOLF,

Defendant.

20cv08567 (PAC) (DF)

**ORDER**

**DEBRA FREEMAN, United States Magistrate Judge:**

This case has been referred to this Court by the Honorable Paul A. Crotty, U.S.D.J., for general pretrial supervision, and currently before this Court is a letter from Kevin N. Ainsworth, Esq. (“Ainsworth”), of the law firm Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. (“Mintz Levin”), requesting a pre-motion conference regarding a motion by Mintz Levin to withdraw as counsel for defendant Golf Manhattan, LLC d/b/a The Turn Indoor Golf (“Defendant”). (Dkt. 21.) As the grounds for the requested withdrawal are set out in Ainsworth’s letter, this Court finds that there is no need for a pre-motion conference and will treat the letter as a motion for leave to withdraw. Accordingly, it is hereby ORDERED as follows:

1. No later than October 1, 2021, Ainsworth is directed to serve Defendant with a copy of his letter seeking leave to withdraw, together with a copy of this Order, by a means reasonably calculated to reach Defendant, and to file proof of such service on the Docket.
2. If Defendant wishes to be heard with respect to Mintz Levin’s request to withdraw, then, no later than October 15, 2021, Defendant should submit its response to the Court, with a copy to Ainsworth. If Defendant would like to email its response to the Court, then

it should contact my Chambers at (212) 805-4650 to ask for email instructions. Alternatively, Defendant may mail its response directly to my Chambers at the following address:

Hon. Debra Freeman, U.S. Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 1660  
New York, New York 10007

Defendant's response may be submitted *ex parte*; in other words, it need not be served on counsel for Plaintiff. This Court, in its discretion, will determine whether any response it receives from Defendant should be filed publicly or if it contains sensitive information that warrant its being placed under seal. If, by October 15, 2021, this Court receives no objection from Defendant to Mintz Levin's request to withdraw, then this Court will likely grant that request as unopposed.

3. Defendant is cautioned, however, that a corporation may not proceed in an action before the Court without being represented by counsel. For this reason, if Defendant wishes to oppose the motion to withdraw, it will need to submit its opposition through an attorney. Defendant is further cautioned that, if this Court permits Mintz Levin to withdraw, and if Defendant fails to retain new counsel, then a default judgment may be entered against it on Plaintiff's claims.

Dated: New York, New York  
September 29, 2021

SO ORDERED:



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DEBRA FREEMAN  
United States Magistrate Judge

Copies to:

All counsel (via ECF)